RECEIVED

REVUID MAR LARMED

CONFIDENTIAL

OCT 1 S 2004

BIOTECHNOLOGY LAW GROUP 658 MARSOLAN AVENUE SOLANA BEACH, CA 92075

BRUCE D. GRANT, A PROFESSIONAL CORPORATION A CALIFORNIA CORPORATION Tel.: 858-623-9470 FAX: 858-623-9476

Fax

To: From: Bruce Grant Commissioner for Patents Registration No. 47,608 c/o Examiner Daniel Sullivan Art Unit 1636 Fax: (703) 872-9306 Date: October 18, 2004 Phone: (571) 272-0779 Pages: 11 (including cover page) Appln. No. 09/974,882 CC: □ Urgent ☑ For Review ☐ Please Comment ☐ Please Reply

Comments:

Please process this Amendment and Response Under 37 CFR 1.111. This filing includes the following papers:

- 1. Transmittal Form with Certificate of Mailing or Transmission (1 page)
- Amendment and Response Under 37 CFR 1.114 (9 pages).

Respectfully submitted,

Bruce Grant Registration No. 47,608

BEST AVAILABLE COPY

The information contained in this facsimile transmission (including any attached page(s)) is intended only for the named recipient(s). The information may be confidential. If the reader of this message is not an intended recipient, notice is hereby given that any dissemination, distribution, or copying of this transmission, in whole or in part, is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by telephone or return facsimile, and destroy this transmission. Thank you.

TRANSMITTAL FORM (to be used for all correspondence after initial) Total Number of Pages in This Submission	no persons are required to respond to a collection Application Number Filing Date First Named Inventor	Approved for use through 07/31/2006. OMB 0851-0031 t and Trademark Office; U.S. DEPARTMENT OF COMMERCE on at Information unless it displays a valid OMB control number. OR 1974, 882 CCAOSEL 10, 2001 Edward M. Noran [636 Damiel H. Sullivan GT1-1320-WN]
TOTAL PROPERTY OF PAGES IN THIS SUMMISSION		
Fee Transmittal Form Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Addre Terminal Disclaimer Request for Refund CD, Number of CD(s) Remarks Customer No. 35938	After Allowance communication to Technology Center (TC) Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information
	TURE OF APPLICANT, ATTORNE	Y, OR AGENT
Firm or Individual name Signature Date Bruce Grant, Registration BioTechnology Law Group Bruce Grant, Registration BioTechnology Law Group Bruce Grant, Registration BioTechnology Law Group Bruce Grant, Registration	oorl	
I hereby certify that this correspondence is be	ERTIFICATE OF TRANSMISSION/ eling facsimile transmitted to the USPTO or di elope addressed to: Commissioner for Pate	MAILING deposited with the United States Postal Service with ints, P.O. Box 1450, Alexandria, VA 22313-1450 on
Typed or printed name Bruce Grant		
Signature		Date 18 CETOBER 2004

This collection of information is required by 37 C/R 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 C/R 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED CENTRAL FRA CENTER

OCT 1 8 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re t	he Application of:)
	Edward M. Nolan, et al.) Examiner: Sullivan, Daniel M.
Applu	. No.: 09/974,882) Art Unit: 1636
Filed:	10 October 2001)
For:	FACS ASSISTED METHODS FOR INTRODUCING INDIVIDUAL CHROMOSOMES INTO CELLS)))

AMENDMENT AND RESPONSE UNDER 37 CFR 1.111

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This is filed in response to an Office communication dated September 24, 2004 and an Office action dated March 19, 2004, the former setting a shortened statutory time for response expiring on October 24, 2004. This paper is timely filed on October 18, 2004 without a petition for an extension of time. Careful consideration has been given to the grounds for rejection and the following remarks are offered in response. Reconsideration respectfully is requested.

CERTIFICATE OF TRANSMISSION/MAILING UNDER 37 CFR 1.8

I hereby certify that this paper (along with anything referred to as being attached) is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage via first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Bruce Grant

18 OCTOBER 2001

This Page is Inserted by IFW Indexing and Scanning Operations and is not part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked	l:
□ BLACK BORDERS	
☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES	•
☐ FADED TEXT OR DRAWING	
☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING	
☐ SKEWED/SLANTED IMAGES	
☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS	
GRAY SCALE DOCUMENTS	
☐ LINES OR MARKS ON ORIGINAL DOCUMENT	
☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY	٠.
□ OTHER•	

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.